

REMARKS

In the Office Action, claims 6 – 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ryan, U.S. Pat. No. 3,225,489. Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan in view of Passage, U.S. Pat. No. 5,252,074. For the reasons set forth below, Applicant respectfully traverses the above objections and rejections.

Discussion of the §102 Rejections

The examiner has rejected claims 6 – 14 under 35 U.S.C. § 102(b) as being anticipated by Ryan. According to the MPEP, “a claim is anticipated only if each and every element as set forth in the claim is found either expressly or inherently described in a single prior art reference.” MPEP §2131 (quoting *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1997)). Applicant has amended claim 6 and canceled the remaining claims. Specifically, among other elements, claim 6 now requires a hair wig formed of human hair. Ryan does not disclose this element, and in fact, specifically teaches away from this element. See, e.g., col. 2, ln 32 “[t]he synthetic or artificial hair 20...,” and col. 2, ln. 67-68 “...a flush fit would leave no space for the rooted portion of the artificial hair 20.” (emphasis added). Indeed, human hair would destroy the purpose of Ryan. Ryan states that his invention relates to a “novel doll head.” Col. 1, ln. 2. Specifically, Ryan suggests that young girls play with dolls similar to that disclosed in Ryan’s invention. See, e.g., Col. 1, lns. 12 – 17. It is well known in the art that artificial or synthetic hair is superior to human hair in such applications, as human hair is not as sturdy as artificial hair, and would need to be cleaned more often. As such, the Ryan reference does not contain each and every

element of the amended claim 6. Therefore, Applicant respectfully requests that the §102(b) rejection be withdrawn and this claim be allowed to issue.

Discussion of the §103 Rejections

Claim 15 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan in view of Passage. However, Applicant has canceled claim 15, and believes that this rejection is now moot.

CONCLUSION

It is believed that Applicant has addressed all of the outstanding matters and it is requested that this application be granted a Notice of Allowance at the earliest possible date. Please contact the undersigned attorney if there are any questions.

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